

## § 597.705

### § 597.705 Administrative collection; referral to United States Department of Justice.

In the event that the respondent does not pay the penalty imposed pursuant to this part or make payment arrangements acceptable to the Director of the Office of Foreign Assets Control within 30 days of the mailing of the written notice of the imposition of the penalty, the matter may be referred for administrative collection measures by the Department of the Treasury or to the United States Department of Justice for appropriate action to recover the penalty in a civil suit in a Federal district court.

### Subpart H—Procedures

#### § 597.801 Procedures.

For license application procedures and procedures relating to amendments, modifications, or revocations of licenses; administrative decisions; rulemaking; and requests for documents pursuant to the Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a), see part 501, subpart E, of this chapter.

[62 FR 52495, Oct. 8, 1997, as amended at 68 FR 53660, Sept. 11, 2003]

#### § 597.802 Delegation by the Secretary of the Treasury.

Any action which the Secretary of the Treasury is authorized to take pursuant to 8 U.S.C. 1189 or 18 U.S.C. 2339B, as added by Public Law 104-132, 110 Stat. 1248-1253, sections 302 and 303, may be taken by the Director of the Office of Foreign Assets Control, or by any other person to whom the Secretary of the Treasury has delegated authority so to act.

### Subpart I—Paperwork Reduction Act

#### § 597.901 Paperwork Reduction Act notice.

For approval by the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act of information collections relating to record-keeping and reporting requirements, to licensing procedures (including those pursuant to statements of licensing

## 31 CFR Ch. V (7-1-04 Edition)

policy), and to other procedures, see § 501.901 of this chapter. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

## PART 598—FOREIGN NARCOTICS KINGPIN SANCTIONS REGULATIONS

### Subpart A—Relation of this Part to Other Laws and Regulations

Sec.

598.101 Relation of this part to other laws and regulations.

### Subpart B—Prohibitions

- 598.201 Applicability of sanctions.
- 598.202 Blocking of assets.
- 598.203 Prohibited transactions involving blocked property.
- 598.204 Evasions; attempts; conspiracies.
- 598.205 Effect of transfers violating the provisions of this part.
- 598.206 Holding of funds in interest-bearing accounts; investment and reinvestment.

### Subpart C—General Definitions

- 598.301 Blocked account; blocked property.
- 598.302 Effective date.
- 598.303 Entity.
- 598.304 Foreign Narcotics Kingpin Designation Act.
- 598.305 Foreign person.
- 598.306 General license.
- 598.307 Interest.
- 598.308 License.
- 598.309 Narcotic drug; controlled substance; listed chemical.
- 598.310 Narcotics trafficking.
- 598.311 Person.
- 598.312 Property; property interest.
- 598.313 Significant foreign narcotics trafficker.
- 598.314 Specially designated narcotics trafficker.
- 598.315 Specific license.
- 598.316 Transfer.
- 598.317 United States.
- 598.318 United States person; U.S. person.
- 598.319 U.S. financial institution.

### Subpart D—Interpretations

- 598.401 Reference to amended sections.
- 598.402 Effect of amendment.
- 598.403 Termination and acquisition of an interest in blocked property.
- 598.404 Setoffs prohibited.
- 598.405 Transactions incidental to a licensed transaction.
- 598.406 Provision of services.

- 598.407 Offshore transactions.
- 598.408 Alleged change in ownership or control of an entity designated as a specially designated narcotics trafficker.
- 598.409 Credit extended and cards issued by U.S. financial institutions.
- 598.410 Payments from blocked accounts to U.S. exporters and for other obligations prohibited.

#### **Subpart E—Licenses, Authorizations, and Statements of Licensing Policy**

- 598.501 General and specific licensing procedures.
- 598.502 Effect of license.
- 598.503 Exclusion from licenses.
- 598.504 Payments and transfers to blocked accounts in U.S. financial institutions.
- 598.505 Investment and reinvestment of certain funds.
- 598.506 Entries in certain accounts for normal service charges authorized.
- 598.507 Provision of certain legal services authorized.

#### **Subpart F—Reports**

- 598.601 Records and reports.

#### **Subpart G—Penalties**

- 598.701 Penalties.
- 598.702 Prepenalty notice.
- 598.703 Response to prepenalty notice; informal settlement.
- 598.704 Penalty imposition or withdrawal.
- 598.705 Administrative collection; referral to United States Department of Justice.
- 598.706 Judicial review of civil penalty.

#### **Subpart H—Procedures**

- 598.801 Procedures.
- 598.802 Availability of information pursuant to the Freedom of Information Act.
- 598.803 Delegation by the Secretary of the Treasury.

#### **Subpart I—Paperwork Reduction Act**

- 598.901 Paperwork Reduction Act notice.

AUTHORITY: 3 U.S.C. 301; 21 U.S.C. 1901–1908; 31 U.S.C. 321(b); Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note).

SOURCE: 65 FR 41336, July 5, 2000, unless otherwise noted.

### **Subpart A—Relation of This Part to Other Laws and Regulations**

#### **§ 598.101 Relation of this part to other laws and regulations.**

(a) This part is separate from, and independent of, the other parts of this chapter, including part 536 of this chap-

ter, “Narcotics Trafficking Sanctions Regulations,” with the exception of part 501 of this chapter, the provisions of which apply to this part. Actions taken pursuant to part 501 of this chapter with respect to the prohibitions contained in this part are considered actions taken pursuant to this part. Differing foreign policy and national security contexts may result in differing interpretations of similar language among the parts of this chapter. No license or authorization contained in or issued pursuant to those other parts authorizes any transaction prohibited by this part. No license or authorization contained in or issued pursuant to any other provision of law or regulation authorizes any transaction prohibited by this part.

(b) No license contained in or issued pursuant to this part relieves the involved parties from complying with any other applicable laws or regulations.

### **Subpart B—Prohibitions**

#### **§ 598.201 Applicability of sanctions.**

A specially designated narcotics trafficker is subject to any and all sanctions authorized by the Foreign Narcotics Kingpin Designation Act and implemented in this part. The application of sanctions on any specially designated narcotics trafficker will remain in effect until revoked by the President pursuant to section 804(h)(2) of the Foreign Narcotics Kingpin Designation Act, waived by the President pursuant to section 804(g)(1) of that Act, or revoked by the Secretary of the Treasury pursuant to section 805(e)(1)(A) of that Act.

#### **§ 598.202 Blocking of assets.**

Except to the extent provided in regulations, orders, instructions, licenses, or directives issued pursuant to this part, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, there are blocked as of the effective date, and any date thereafter, all such property and interests in property within the United States, or within the possession or control of any United